

DECLARATION OF JAMES M. McCORMACK



WSOU Investments, LLC v. Google, LLC
In the United States District Court for the Western District of Texas
Waco Division.

1. My name is James M. McCormack. I am over the age of eighteen, have never been convicted of a crime, and am competent to make this declaration under 28 U.S.C. § 1746. My office mailing address is 3267 Bee Cave Road, Suite 107, PMB 107, Austin, Texas 78746.
2. Except where indicated, the facts set forth below are within my personal knowledge and are true and correct. I have based my opinions set forth below on facts or data of a type reasonably relied upon by experts in my field in forming opinions regarding the ethical duties and obligations of Texas lawyers.
3. I am and have been a licensed attorney in Texas for 38 years (since 1984). I am a former General Counsel and Chief Disciplinary Counsel of the State Bar of Texas (1991–1996); an adjunct professor of law at the University of Texas School of Law in Austin where I taught legal ethics and the law governing lawyers (and, more recently, other courses); a former member of the Texas Disciplinary Rules of Professional Conduct Committee of the State Bar of Texas, a past Chairman of the Texas Center for Legal Ethics and Professionalism (now called the Texas Center for Legal Ethics); and I presently serve as the Editor-in-Chief of the *EthicsExchange* (online legal ethics articles and related resources for lawyers) of the Texas Center for Legal Ethics. In 2015, the Supreme Court of Texas appointed me to the Professional Ethics Committee, which prepares and publishes formal ethics opinions for the

guidance of Texas lawyers in the *Texas Bar Journal*. The Supreme Court reappointed me in 2018 and 2021 to additional three-year terms. My *curriculum vita* is attached.

4. I have reviewed the Motion to Withdraw that Carter Arnett is filing with this Court in the case referenced above and a February 19, 2022, letter from E. Leon Carter and Scott Breedlove also of the law firm Carter Arnett (“**the Firm**”) to its client, WSOU. Further, beginning on February 16th, I spoke and exchanged emails with Messrs. J. Robert Arnett and Joshua J. Bennett regarding the facts underlying the Firm’s withdrawal motion prior to their filing the Motion to Withdraw.
5. As stated in the Motion to Withdraw, Messrs. Arnett and Bennett consulted with me regarding a withdrawal scenario confronting his law firm. After considering the facts presented by Messrs. Arnett and Bennett, I advised that the Firm was obligated to withdraw under Rule 1.15(a), Texas Disciplinary Rules of Professional Conduct (“**the Rules**”).¹ Additionally, Texas Rule 1.15(b) also justified the Firm’s withdrawal.
6. Lawyers faced with facts that may require their withdrawal are obligated to attempt to mitigate the consequences of that withdrawal upon their clients to the extent reasonable and practicable.² During the initial discussion, on February 16th, with Messrs. Arnett and Bennett of the facts giving rise to what became the Firm’s decision to withdraw, we also discussed the Firm’s need to

¹ As the Court is aware, the United States District Court for the Western District of Texas has adopted the Texas Disciplinary Rules of Professional Conduct as part of its Local Rules governing the conduct of lawyers in its courts.

² Rule 1.15(d), Texas Disciplinary Rules of Professional Conduct; see also id. cmt. 9.

participate in a discovery hearing set to occur the next day (**February 17th**). Messrs. Arnett and Bennett indicated that, since the Firm had a material role to fulfill on WSOU's behalf that other counsel (including local counsel) probably could not easily fulfill with so short a notice, they intended to proceed with the hearing. I agreed that pursuing WSOU's interests at the hearing the next day was both reasonable and practicable given **(a)** the Firm's material role in the hearing that could not be easily filled by any co-counsel, and **(b)** the facts and issues to be discussed and resolved at the hearing were **not** facts or issues that gave rise to the Firm's proposed withdrawal. Messrs. Arnett and Bennett indicated, however, that the Firm would almost certainly seek withdrawal immediately after the February 17th hearing. After reviewing a draft letter that Messrs. Arnett and Bennett prepared to send to WSOU that provided a comprehensive summary of the attorney-client relationship and the bases for the Firm's withdrawal, I supported their intent to seek immediate withdrawal and urged them to do so as consistent with the Rules.

7. A lawyer's obligation under Rule 1.15(d) can lead to difficult professional dilemmas with respect to the timing of withdrawal and whether remaining in a representation until some impending event has occurred is justified. While the Firm could have requested the postponement of the impending hearing on February 17th in order to withdraw first, and, thus, allowed WSOU to be represented by new counsel (or co-counsel), I am not critical of the Firm's decision to represent its client at that important hearing under the circumstances. An attorney's decision regarding when to file a withdrawal

motion and cease all efforts on behalf of a client can always be second-guessed later—even though only the attorney may know all of the relevant considerations at the time and have to make the very difficult decision about which course of action best serves his clients until his withdrawal can be accomplished.

8. As official Comment 3 to Rule 1.15 expressly cautions that, while a tribunal may want a more fulsome explanation for a lawyer's withdrawal, **“the lawyer may be bound to keep confidential the facts that would constitute such an explanation”**. The Comment further provides that **“[t]he lawyer's statement that professional considerations require termination of the representation ordinarily should be accepted as sufficient.”**

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed: February 21, 2022 in Travis County, Texas.



James M. McCormack

EXHIBIT A

JAMES M. McCORMACK
Attorney and Counselor at Law
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Austin, Texas 78746
Office: 512-615-2408
Email: jmmccormack@austin.rr.com

Mr. McCormack is the former **General Counsel and Chief Disciplinary Counsel of the State Bar of Texas (1991-1996)** and a former **Managing Attorney** of the Civil Litigation Section of the Travis County Attorney's Office in Austin, Texas. As the **State Bar's Chief Disciplinary Counsel**, he served as the chief legal ethics enforcement officer for the attorney discipline system in Texas. He is a graduate of the **University of Texas at Austin: BBA with Honors, 1981; Doctor of Jurisprudence, 1984.**

Mr. McCormack also served as an **adjunct professor of law at the University of Texas School of Law** in Austin where he has taught professional responsibility and other courses. Mr. McCormack also received the **2016 Professionalism Award** from the Austin Bar Association and the Texas Center for Legal Ethics.

From 1998 to 2004, Mr. McCormack served as a member of the State Bar's **Texas Disciplinary Rules of Professional Conduct Committee**, which is charged with recommending amendments to the Texas ethics rules. In 2015, the Texas Supreme Court appointed Mr. McCormack to the **State Bar of Texas Professional Ethics Committee**, which prepares formal ethics opinions that are published in the Texas Bar Journal. He was reappointed by the Court in 2018.

He served as the **Chairman of the Board of Trustees of the Texas Center for Legal Ethics and Professionalism (Chair-Elect, 2006-2007; Chairman 2007-2008; Immediate Past Chairman 2008-2009)**. Mr. McCormack presently serves as the **Editor-in-Chief of the EthicsExchange of the Texas Center for Legal Ethics.**

Mr. McCormack's Austin-based practice emphasizes legal ethics-related consultations and representations. Past consultations include conflicts of interest analysis, mass tort settlements, disqualification motions, lawyer advertising and solicitation questions, organizational ethics reviews, legal malpractice-related expert testimony, representation before the Texas Board of Law Examiners, and other professional responsibility and malpractice-related counsel. He is a regular lecturer on legal ethics and malpractice issues.

Martindale-Hubbell national legal directory peer-based rating: “AV” since 1994.

JAMES (JIM) M. McCORMACK

Attorney at Law

- Current practice emphasizes legal ethics and legal malpractice consultation and representation; expert consultation and testimony; service as an adjunct professor of law, The University of Texas School of Law; Partner, Tomblin Carnes McCormack, L.L.P., Austin, Texas (1999-present); Law Offices of James M. McCormack (1996-1999; 2008-present); also Of Counsel, Law Offices of Anthony W. Tomblin (1997-1999).

General Counsel and Chief Disciplinary Counsel

State Bar of Texas 1991-1996

- Served as the **General Counsel** and the **Chief Disciplinary Counsel** of the State Bar of Texas; as **General Counsel**, provided corporate and litigation services to the Board of Directors, Executive Departments, and other Bar-related entities, such as the Unauthorized Practice of Law Committee and the Client Security Fund; as **Chief Disciplinary Counsel**, served as the chief legal ethics enforcement officer and chief prosecutor for the statewide attorney disciplinary system; supervised ten offices and 118 employees across Texas; oversaw all litigation conducted on behalf of the State Bar and the Texas Commission for Lawyer Discipline; served as *ex-officio* member of the State Bar Board of Directors and Executive Committee. *The State of Texas is a public corporation and the administrative arm of the Judicial Department of the State of Texas.*

Managing Attorney, Litigation Section

Travis County Attorney's Office May 1988 to 1991

- Managed public litigation section. Supervised trial attorneys and support staff while handling a regular litigation caseload.

Assistant County Attorney

Travis County Attorney's Office

- Handled wide variety of lawsuits in virtually all areas of public practice, including personal injury defense, civil rights defense, eminent domain, ad valorem tax collection, employment law, environmental enforcement, contract and real property disputes and miscellaneous litigation.

Staff Counsel

Texas State Senate 1984 to 1985

- Served as **Staff Counsel** to a Texas State Senator; provided legal opinions and advice drafted legislation and amendments; monitored and analyzed proposed legislation.

EDUCATION

- *The University of Texas Law School*. Doctor of Jurisprudence, 1984.
- *The University of Texas at Austin*. Bachelors in Business Administration with Honors, 1981 (Management).

EXECUTIVE AND CONTINUING EDUCATION

- The Wharton School, The University of Pennsylvania, Executive Education in Managing People, 1995.
- Covey Leadership Center, Seven Habits Program, 1995.
- *The University of Texas at Austin*, Coursework in counseling psychology, 1990.
- 40-hour Mediation Training Program, Travis County Dispute Resolution Center, 1991.
- *The University of Texas at Austin*, Executive Education in Finance and Accounting for Non-Financial Managers, 1995.

HONORS, ACTIVITIES, AND MEMBERSHIPS

- **Past President**, Board of Directors, **AUSTIN WOMEN'S CENTER**; Board Member (1987-1992), for twenty-year-old non-profit organization providing job training and counseling for men and women; staffed by professional staff and volunteers; recipient of federal, state, and local funds.
- **State Bar Presidential Citations** in 1993 and 1996 for leadership in implementing the new grievance system and balancing multiple responsibilities as General Counsel/Chief Disciplinary Counsel of the State Bar of Texas.

- **Member**, State Bar of Texas, since 1984.
- **Member of the Bar**, U.S. District Court, Western and Eastern Districts of Texas; U.S. Court of Appeals, Fifth Circuit; and the United States Supreme Court.
- **Member**, National Mock Trial Team, University of Texas Law School, 1984; Member, Board of Advocates, University of Texas Law School, 1983-1984.
- **Member**, Friar Society (since 1982); Cactus Yearbook Outstanding Student (1984); University of Texas Cactus Yearbook Goodfellow (1983).
- **Life Fellow**, Texas Bar Foundation.
- **Member, Texas Disciplinary Rules of Professional Conduct Committee**, State Bar of Texas, 1998-2004.
- **Member and Past Chairman, Board of Trustees, Texas Center for Legal Ethics and Professionalism**, 2003-2009 (Chair-Elect, 2006-2007; Chairman, 2007-2008; Immediate Past Chairman 2008-2009).
- **Member, The State Bar of Texas' Professional Ethics Committee**, appointed by the Texas Supreme Court (2015-). Reappointed 2018 to a new three year term. The Professional Ethics Committee prepares formal ethics opinions for the guidance of Texas lawyers and for publication in the Texas Bar Journal.
- **Recipient of the Professionalism Award** by the Austin Bar Association and the Texas Center for Legal Ethics, 2016 ("The recipient of the Award will be that lawyer selected at the local level who best exemplifies, by conduct and character, truly professional traits, who others in the bar seek to emulate, and who all in the bar admire. Those selected for the award will truly be 'role models for the bar, particularly younger or less experienced lawyers. Those selected will be lawyers who are respected by their peers and make all their peers proud of the profession'").

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TEACHING, WRITING AND ETHICS-RELATED PRESENTATIONS

- **Adjunct Professor of Law**, *The University of Texas School of Law*, "Professional Responsibility" (1995-1997); Trial Advocacy: "Expert Witnesses" (2017-2019); Trial Advocacy: "Handling Depositions and Expert Witnesses" (2020-present).

Editor-in-Chief, The EthicsExchange, The Texas Center for Legal Ethics, 2014-present (online legal ethics articles and resources).

- **Contributing Co-Author**, *A Guide to the Basics of Law Practice*, 1995 and 1996 editions, Texas Center for Legal Ethics and Professionalism.
- **Author**, "The Client Connection," *The Texas Lawyer*, (legal newspaper column appeared each month from September 2001 through August 2003)
- **Author**, "Good Ethics, Smart Tactics", *Law Practice Management Magazine*, American Bar Association, September 1995, (similar article at 57 TEX. B.J. 178, 1994). Named by the publication as one of its five best articles of 1995.
- **Co-author** (with Arthur Piacenti) **and Presenter**, "Dual Role Conflicts of Interest," "Reporting Misconduct," and "Entering into and Withdrawing from Representation"; *National Academy of Law, Ethics, and Management Program*, 1994.
- **Author and Presenter**, "How to Guarantee a Grievance," *Evidence: Current Strategies For The Trial Lawyer In A New Environment Program*, South Texas College of Law, 1995.
- **Author and Presenter**, "Ethical Considerations for the Personal Injury Lawyer," *The Annual Page Keeton Products Liability and Personal Injury Law Conference*, The University of Texas School of Law, 1996.
- **Author and Presenter**, "Conflicts of Interest in Complex Litigation," *Recognizing and Resolving Conflicts of Interest Program*, The State Bar of Texas, 1997.
- **Speaker**, "Most Common Ethical Lapses at Trial," 3rd Annual Evidence and Procedure Symposium, The University of Texas School of Law, San Antonio,

- **Speaker**
Texas, 1998 (similar presentation at "Masters of Litigation" Program for Travis County Bar Association, 1997).
- **Speaker**, "*Ethics and Negotiations*," Travis County Bar Association, Austin, Texas, 1998.
- **Panel Member and Speaker**, "*Class Action and Mass Tort Panel; Discussion of Special Ethics Issues*," 3rd Annual Evidence and Procedure Symposium, The University of Texas School of Law, San Antonio, Texas, 1998.

Speaker, "*Legal Malpractice*," 21st Annual Page Keeton Products Liability & Personal Injury Law Conference, The University of Texas School of Law, 1997.
- **Instructor**, "*Ethical Considerations for Multi-party and Complex Litigation*," Continuing Legal Education Online Course, 1998-present.
- **Co-presenter** (with Tracy McCormack) "*So You Want To Be A Millionaire Lawyer, Ethically?*" 5th Annual Advanced Evidence and Procedure Symposium, The University of Texas School of Law, May 2000 (similar legal ethics programs presented for the Texas Association of Bank Counsel, October 2000; and University of Texas School of Law CLE Program, April 2001).
- **Panel Member**, "*Ethics and the Litigator*," Live Statewide Satellite Presentation, Ethics and Malpractice Avoidance for Business/Corporate Lawyers and Litigators, State Bar of Texas, Dallas (and 25 Texas sites), November 2000.
- **Co-Presenter** (with Tracy McCormack) "*The Weakest Link: Pitfalls in Legal Ethics*," Texas Association of Bank Counsel Annual Meeting, Austin, Texas, October 2001.
- **Co-Presenter** (with Tracy McCormack) "*The Weakest Link: Pitfalls in Legal Ethics*," 25th Annual Page Keeton Products Liability and Personal Injury Law Conference, The University of Texas School of Law, Austin, Texas, November 2001 (similar legal ethics program presented at University of Texas Law School Reunion CLE Program, April 2002).

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- **Co-Presenter** (with Tracy McCormack) "*Ethics Jeopardy*" Continuing Legal Education Program, 26th Annual Page Keeton Products Liability and Personal Injury Law Conference, The University of Texas School of Law, Austin, Texas, October 2002.
- **Speaker**, "*Settling Cases Ethically*," Silica Litigation Conference (HarrisMartin Publishing Company), New Orleans, Louisiana, June 2003
- **Panel Member**, "Ethics, Ethics, Ethics" 3 hour ethics program, Travis County Bar Association, December 2003.
- **Speaker**, "Ethical Pitfalls," Andrews Asbestos Conference, New Orleans, Louisiana, May 2004.

- **Speaker**
Speaker, "Ethical Issues for Administrative Lawyers," Advanced Administrative Law Conference, Travis County Bar Association, June 2004.
- **Author and Presenter**, "Ethical Pitfalls Leading to Disqualification in the Texas and Federal Courts," Page Keeton Litigation Conference, The University of Texas School of Law Continuing Legal Education Program, Austin, Texas, October 2004.
- **Speaker**, "Six Ethics Rules I Thought I Knew Until I Read Them Again," Austin LSA Association Program, Austin, Texas, April 2005.
- **Author and Presenter**, "The Verdict from Kerrville: Resolving Conflicts of Interests Under Rule 1.06," Fiduciary Litigation Course, The State Bar of Texas, Houston, May 2006.
- **Speaker**, "Some Ethics Rules I Thought I Understood Until I Read Them Again," Texas Attorney General's Office, Distinguished Speaker's Program, Third Court of Appeals, Austin, August 2007.
- **Speaker**, "Attorneys and Paralegals," The Corpus Christi Bar Association, Corpus Christi, November 2007.
- **Speaker**, Legal Ethics Program for Clinical Programs at the University of Texas School of Law, Austin, January 2008.
- **Speaker**, "Ethical Insomnia: Construction Law Ethical Situations That Keep You Awake At Night," 21st Annual Construction Law Conference, The Construction Law Section of the State Bar of Texas and the Texas Institute of Continuing Legal Education, San Antonio, February 2008.
- **Panelist**, "The Ethics of Lawyer-Judge Interactions," The Ethics Course, The Texas Center for Legal Ethics and Professionalism, Austin, May 2008.
- **Panelist**, "The Ethics of Lawyer-Judge Interactions," The State Bar of Texas, TexasBarCLE, March 2008 (video program).
- **Panelist**, "Ethical Courtroom Behavior," The State Bar of Texas, TexasBarCLE Live Webcast program, June 2008.

- **Speaker**, "Ethics in Forming, Operating, and Amending Partnerships," The University of Texas CLE Program: Partnerships and Limited Liability Companies, Austin, July 2008.
- **Panelist**, "How to Avoid Ethical Improprieties When Dealing with Governmental Personnel," The 22nd Annual Legal Seminar on Ad Valorem Taxation, San Antonio, August 2008.
- **Panelist**, "Ethical Courtroom Behavior - Part II: Enforcement," The State Bar of Texas, TexasBar CLE Live Webcast program, October 2008.
- **Panelist/Chair**, "Lawyer-Judge Interactions," The Ethics Course, The Texas Center for Legal Ethics and Professionalism, Austin, December 2008.
- **Speaker**, "What Social Science Teaches About Rules, Procedures, and Ethical Behavior" ("Advising Businesses and Government in a Troubled Economy: Ethical Policies, Procedures, and Behavior"), UTCLE (The University of Texas School of Law), 13th Annual Law Use Conference, Austin, March 2009.
- **Moderator**, "Imposing Sanctions" and "Most Common Rule Violations" Grievance Committee Training Videos, Office of the Chief Disciplinary Counsel, The State Bar of Texas, Austin, April 2009.
- **Panelist**, "Ethics and High Profile Cases: Free Press v. Fair Trial", Cosponsored by the Litigation Section of the State Bar of Texas and the Texas Center for Legal Ethics and Professionalism, The State Bar of Texas Annual Meeting, Dallas, June 2009.
- **Panelist**, "Tuning Up Your Law Practice: Conflicts, Contracts, and Costs of Doing Business," Live Webcast by the State Bar of Texas Continuing Legal Education, Austin, July 2009.
- **Speaker** (with Tracy McCormack), "What Happens If We Are Honest About Our Jury Trial Experience?," The Car Crash Seminar, UTCLE (The University of Texas School of Law), Austin, August 2009.
- **Speaker**, "Navigating the Ethics Rules," The Ethics Course, The Texas Center for Legal Ethics and Professionalism, Austin, Texas, September 2009.

- **Speaker**

Speaker, "What Social Science Teaches About Rules, Procedures, and Ethical Behavior," The Academy of Hospitality Industry Attorneys Conference, Austin, Texas, October 2009.

Panelist, "Presenting the Case in Chief—Defense," Trial of a Fiduciary Litigation Case, TexasBarCLE (The State Bar of Texas), Fredericksburg, Texas, December 2009.

- **Speaker**, "Navigating the Ethics Rules," The Ethics Course, The Texas Center for Legal Ethics and Professionalism, Houston, Texas, January 2010.
- **Speaker**, "Beyond the MPRE," Spring Symposium, *Pursuing Justice Through Legal Innovation*, Sponsored by the Thurgood Marshall Legal Society, The Chicano/Hispanic Law Students Association, and the National Black Law Journal, The University of Texas At Austin, Austin, Texas, February 2010.
- **Speaker**, "Practical Legal Ethics for Immigration Lawyers," Austin Chapter of the American Immigration Lawyers Association, Austin, Texas, March 2010.
- **Speaker**, "Attorney Retainer Agreements: Getting In and Getting Out," The Austin Bar Association, Litigation Section Program, Austin, Texas, April 2010.
- **Presenter**, "Ethical Tips and Traps for the Marketing Lawyer," Superlawyers Continuing Legal Education Webinar, Austin, Texas, June 2010.
- **Speaker**, "How to Terminate a Client Engagement," Advanced Tax Law Course, TexasBarCLE, Dallas, Texas, August 2010.
- **Panelist**, "New Disciplinary Rules: Point and Counterpoint," 34th Annual Page Keeton Civil Litigation Conference, The University of Texas School of Law (UTCLE), Austin, Texas, October 2010.
- **Speaker**, "Social Science and Ethics," *Strategic Management* Classes (Professor Mark Poulos), The School of Management and Business, St.

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- Edward's University, Austin, Texas, November 2010, April 2011, November 2011, May 2012, and November 2012.
- **Co-Presenter** (with Jess Irwin), "Representation of Multiple Parties & Conflicts of Interest," The Advanced Administrative Law Course, TexasBarCLE, Austin, Texas, July 2011.
- **Author**, "The Elephant in the Room: The Referendum Defeat Is A Symptom of a Larger Problem," *The Advocate*, The State Bar Litigation Section Report, Vol. 55, Summer 2011.

- - **Co-Author** (with Tracy McCormack and Susan Schultz), "Probing the Legitimacy of Mandatory Mediation: New Roles of Judges, Mediators, and Lawyers," *St. Mary's Journal on Legal Malpractice & Ethics*, St. Mary's University School of Law, Vol. 1, Number 1, 2011.
- **Speaker**, "Ethics & Pro Bono Service," Central Texas Wildfire Response Team Volunteer Attorney Training, *The Austin Bar Association*, Austin, Texas, September 2011.
- **Speaker**, "Navigating the Ethics Rules," The Holiday Ethics Program, The Austin Bar Association, Austin, Texas, December 2011.
- **Moderator**, Panel Discussion (with Buck Files and Charles Herring, Jr.), "The Ethics of the Legal Profession and the Public Perception of the Profession," *The Dr. Richard Street Legal Symposium*, Austin College, Sherman, Texas, March 2012.
- **Panelist**, "Appellate Ethics Roundtable," ("Fee Agreements: 5 Easy Pieces"), The University of Texas Conference on State and Federal Appeals, Austin, Texas, May 2012.
- **Speaker**, "Navigating the Ethics Rules and Conflicts," 12th Annual Legal Conference, The Office of General Counsel, The University of Texas System, Austin, Texas, October 2012.
- **Speaker**, "Navigating the Ethics Rules and Conflicts," 8th Annual Texas Energy Law Conference, The University of Texas School of Law, Austin, Texas, January 2013.
- **Speaker**, "Ethics in Negotiations," The Environmental Impacts of Oil and Gas Production Course, The State Bar of Texas, San Antonio, Texas, January 2014.
- **Speaker**, "Organizational and Personal Ethics," Principles of Management Courses, St. Edward's University, Austin, Texas, February 2013-Fall 2018;
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- also, similar presentations for various “Strategic Management” Courses, Fall and Spring semesters, 2012-2018.

Speaker, “Due Diligence Dilemmas: Contacting Coworkers and “Purloined” Documents” Program, Austin and Capital Area Plaintiff Employment Lawyers Association, Austin, Texas, April 2014.

Speaker, “Contacts with Persons Represented and Not Represented by Opposing Counsel,” Austin Bar Employment Law Section, November 2014.
- **Speaker**, “An Introduction to Attorney Disqualification,” The Texas Center for Legal Ethics, Filmed April 2015.
- **Speaker**, “Attorney Fees and Fee Contracts,” The Texas Center for Legal Ethics, Filmed April 2015.
- **Speaker**, “Contingent Fees and Fee Contracts,” Capital Area Trial Lawyers Association, Austin, Texas, May 2015.
- **Speaker**, “Managing a Grievance and How to Avoid a Grievance,” Government Law Boot Camp, TexasBarCLE, Austin, Texas, July 2015
- **Speaker**, “Attorney’s Fees and Fee Contracts in Family Law,” Austin Family Law Advocates, Austin, Texas, September 2015
- **Author**, various *EthicsExchange* Articles, Texas Center for Legal Ethics, 2014-2015, including:
 - Filing Law Firm Advertisements with the State Bar
 - Ethics in Negotiation and Mediation
 - Improper Client Solicitations
 - Confidentiality in Attorney-Client Relationship
 - Disputes Over Legal Fees and Claims by Third Parties
 - Overview of the Texas Grievance System: Ten Questions
 - Inappropriate Relationships with Clients
 - Lawyer Contacts with Adverse Parties and Experts
 - Reporting the Misconduct of Other

- Lawyers (and Judges) ○ Representing Organizations and Reporting Client Problems ○ The Texas Lawyer Creed: Purpose and Enforcement ○ Training Law Office Staff Regarding Ethical Obligations ○ The Basics of Lawyer Trust and IOLTA Accounts ○ Legal Fees: Types, Their Causes and Cures ○ Introduction to Attorney Disqualification ○ Navigating the Ethics Rules: What Matters in Answering Questions About Texas Legal Ethics and Why
- The Binding Arbitration Disclosure ○ The Fee Agreement ○ Joint Representations: “More Than Just One Client” Ethics ○ The Conflicts of Interest Disclosure
- **Speaker**, “Ethics and Dilemmas in Representing Multiple Client: Conflicts and Other Implications,” The Texas Wetlands Conference, Houston, Texas, January 2016.
- **Speaker**, “Ethical Issues Regarding Trial,” Advanced Civil Trial Law Seminar, Corpus Christi Bar Association, Corpus Christi, Texas, April 2016.
- **Co-Presenter** (with Tracy McCormack), “Disclosure is the New Ethics,” The University of Texas School of Law (Reunion Weekend Continuing Legal Education), Austin, Texas, April 2016.
- **Speaker**, “Conflicts of Interest in Labor and Employment Law,” The Austin Bar Association (Labor & Employment Law Section), Austin, Texas, November 2016.
- **Speaker**, “Ethical Traps for New (and Experienced) Lawyers,” *Justice James A. Baker - Guide to Ethics and Professionalism in Texas* Course, The Texas Center for Legal Ethics, Dallas, Texas November 2016.
- **Co-Presenter** (with Tracy McCormack), “Ethical Jeopardy,” Holiday Ethics Program, The Austin Bar Association, Austin, Texas, December 2016.
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- **Speaker**, “Legal Ethics for the Seasoned Lawyer,” Austin Bar Association (*Still Loving It* Bar Section), April 2017.
- **Panel Member**, Disruptive Technology and Ethics, University of Texas Law School Technology Conference, UTCLE program, Austin, Texas, May 2017.
- **Speaker**, “Ethics in Business Litigation,” Business Disputes Conference, TexasBarCLE, Austin, Texas, September 2017.

Speaker (with Tracy McCormack), “The Ethical Perils of Cocktail Party Talk,” Cocktail Party Law: Answering Questions in Social Situations, UTCLE Program, Austin, Texas, November 2017.

- **Speaker**, “Legal Ethics and Professionalism for the Civil Trial Lawyer,” The Advanced Civil Trial Law Course, The Corpus Christi Bar Association, Corpus Christi, Texas, March 2018.
- **Speaker**, “They Say What? A Few Ethics Rules and Opinions That Surprise Experienced Lawyers,” The Capital Area Trial Lawyers Association, Austin, Texas, December 2018.
- **Co-Presenter** (with Tracy McCormack), *Ethics Jeopardy: Fee Agreements Through Appeal*, The American Board of Trial Advocates, Austin, Texas, November 2019.
- **Co-Presenter** (with Christopher Larus), *Ethics: Balancing Fixed Fee, Contingency, and Hourly Arrangements to Ensure Quality and Efficiency and Still Meet Your Ethical Duties*, American Intellectual Property Law Association, Spring Meeting, May 2020 (Online).
- **Speaker**, *Ethical Traps for Criminal Defense Attorneys*, The Harris County Criminal Lawyers Association, June 2020 (Online).
- **Co-Presenter** (with Tracy McCormack), Ethics Presentation for the University of Texas Law School 2021 Reunion (Law Classes 1971 to 2016), April 2021 (Online).
- **Speaker**, *Attorneys and Paralegals*, The Austin Bar Association, June 2021 (Online).
- **Speaker**, *Legal Ethics: True or False*, Litigation Course, The Corpus Christi Bar Association, June 2021 (Online).